

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DR. RICHARD CORDERO,

Appellant,

DECISION AND ORDER

05-MC-6008L

v.

DAVID DeLANO and MARY ANN DeLANO,


Respondents.

Richard Cordero filed a Notice of Appeal from a Decision of Chief United States Bankruptcy Judge John C. Ninfo II, that Cordero had no valid claim in a bankruptcy proceeding involving David G. and Mary Ann DeLano.

On April 11, 2005, Cordero filed a Notice of Appeal as well as a motion to proceed *in forma pauperis*. I have reviewed Cordero's supporting affirmation listing assets and income. Based on that submission, I deny Cordero's motion to proceed *in forma pauperis*. It does appear that Cordero has sufficient assets, including jointly held property in Puerto Rico and a savings account in excess of \$13,000 to enable him to pay the necessary fees for prosecuting this appeal. Furthermore, it does not appear that Cordero has been granted *in forma pauperis* status in proceedings before the Bankruptcy Court.

Therefore, Richard Cordero's motion to proceed *in forma pauperis* on appeal is denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 15, 2005.